



DEPARTMENT OF STATE

Washington, D.C. 20520

June 9, 1976

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release instructions on file**

STATINTL

Dear Mr. [REDACTED]

I refer to the meeting held in your office on February 10 in which Mr. Gookin and Miss Guilbault of my staff participated to discuss aspects of CIA compliance with the Foreign Gifts and Decorations Act of 1966. I regret our delay in responding to the several questions you raised at that time, which was occasioned by the careful consideration we have had to give the matter.

You inquired, I understand, about the deposit with the Chief of Protocol of gifts received by Agency personnel, and proposed turning over particular gifts without furnishing the name of the donor or donee. The Department's position on this question is that it would prefer to have the names of both donor and donee. We can appreciate, however, that in some cases the Agency would prefer to withhold certain information when in its judgment it is deemed necessary to protect intelligence sources. You are aware, I am sure, that neither the Act nor the regulations issued pursuant to it stipulates how gift records should be maintained in the Office of Protocol; the existing requirement to furnish names of donor and donee and other pertinent information is a procedural one designed in the interest of good record-keeping. We believe, therefore, that exceptions to the requirement can be made for the Central Intelligence Agency. Any requests for information which might arise on Agency gifts not available in the Department's files would, of course, have to be referred to the Agency.

You also suggested that Agency-held gifts be transferred to the Department of State in small groups over a period of time. We believe that piecemeal transfer of such gifts could lead to unnecessary and embarrassing questions. We therefore recommend that the Agency's initial

STATINTL

Mr. [REDACTED]

Office of Personnel,
Central Intelligence Agency,
Washington, D.C. 20505.

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transfer of gifts comprise all items which it now is holding for deposit with the Chief of Protocol.

Finally, your question regarding release of certain foreign gifts received by CIA personnel prior to October 15, 1966, has been addressed in a separate letter to Mr. Janney dated June 8, 1976.

You will be interested to know that each of the matters referred to above has been discussed informally with General Accounting Office site audit staff representatives this week. These representatives are familiar with the Act and with GAO's audit on compliance. They have expressed no objection to the positions taken in this letter.

Sincerely yours,

Hampton Davis

Hampton Davis
Assistant Chief of Protocol

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DEPARTMENT OF STATE

Washington, D.C. 20520

June 8, 1976

Dear Mr. Janney:

I have your memorandum of May 26 requesting this office's approval of the release of certain foreign gifts received by CIA personnel prior to October 15, 1966, which have been held in Agency custody.

In this connection, I invite your attention to Section 6 of the Foreign Gifts and Decorations Act of 1966 which, in part, provides for the release of gifts and decorations only if they have been on deposit with the Department of State as of the date of enactment of that legislation. Inasmuch as the gifts in question were not on deposit with this Department as of October 15, 1966, you can appreciate that we have no legal authority to give the requested approval or deal with the gifts in any way.

The Agency may wish to consider seeking approval for releasing the gifts by inquiring informally of the appropriate Congressional committees, or through the submission of special legislation to that end.

Sincerely yours,

Hampton Davis

Hampton Davis
Assistant Chief of Protocol

Mr. F. W. M. Janney,
Director of Personnel,
Central Intelligence Agency,
Washington, D.C. 20505.

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ROUTING AND RECORD SHEET

DD/A Registry
File *Personnel*

SUBJECT: (Optional)

Foreign Gifts

DDA 76-3013

FROM:

Director of Personnel
5 E 58, Headquarters

EXTENSION

6825

NO.

DATE

76-1437/A-1

14 JUN 1976

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Deputy Director for
Administration
7 D 18, Headquarters

2.

EO/D DA

16 JUN 1976

3.

ADDA

16 JUN 1976

4.

DDA

31 JUN 1976

5.

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15.

Attached are copies of two responses from Protocol regarding foreign gifts. The 9 June memorandum will enable us to turn in to Protocol a majority of the foreign gifts that are now being held in the Agency. In those instances where Cover determines that this procedure would result in disclosure of intelligence sources and methods, we will seek approval of Protocol to retain the gift for official use. We have asked Cover to expedite their review of the gifts so that we can complete action on this matter.

The 8 June memorandum from Protocol concerns foreign gifts received prior to 15 October 1966. We will ask OGC for an opinion on this issue and whether legislation is the only solution.

F. W. M. Jarney
Director of Personnel

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